SUPPLEMENTAL APPENDIX
TABLE OF CONTENTS

Wisconsin Supreme Court Rules, chapter 10..... 1a

Wisconsin 1993-94 Statutes
SUPREME COURT RULES

Chapter SCR 10 REGULATION OF THE STATE BAR

SCR 10.01 State bar of Wisconsin.
SCR 10.02 Organization of the state bar of Wisconsin.
SCR 10.03 Membership.
SCR 10.04 Officers.
SCR 10.05 Board of governors.
SCR 10.06 Executive committee.
SCR 10.07 Meetings of the association.
SCR 10.08 Referendum procedure.
SCR 10.09 Disbursements.
SCR 10.10 Committee to review bar performance.
SCR 10.11 Executive director.
SCR 10.12 Official publication; notice to members.
SCR 10.13 Amendment.

Judicial Council Committee's Note, 1979: The following rules, called the state bar rules, govern the state bar of Wisconsin and its members. SCR 10.01 is in the 1977 Wisconsin statutes as section 758.25. SCR 10.02 to SCR 10.14 were originally adopted by the supreme court on December 7, 1956, effective January 1, 1957. They were amended on February 9, 1972; June 16, 1975; November 1, 1976; November 18, 1977; March 6, 1978; and December 14, 1978. The rules were originally numbered 1 to 14 and have been clarified and numbered SCR 10.02 to SCR 10.14 for uniformity and convenience. See appendix for bylaws for state bar of Wisconsin. Certain provisions relating to fees will be contained in SCR 40.16.

Note: SCR Chapter 10 was amended November 11, 1980; June 1, 1983; January 21, 1986; February 21, 1986; October 21, 1987; April 11, 1989; January 22, 1990;

November 6, 1990; March 13, 1992; May 7, 1992; July 1, 1992; April 14, 1993; March 21, 1995.

SCR 10.01 State bar of Wisconsin.

(1) There shall be an association to be known as the "state bar of Wisconsin" composed of persons licensed to practice law in this state, and membership in the association shall be a condition precedent to the right to practice law in Wisconsin

(2) The supreme court by appropriate orders shall provide for the organization and government of the association and shall define the rights, obligations and conditions of membership therein, to the end that the association shall promote the public interest by maintaining high standards of conduct in the legal profession and by aiding in the efficient administration of justice.

SCR 10.02 Organization of the state bar of Wisconsin.

(1) Creation of Association. All persons licensed to practice law in this state are organized as an association to be known as the "state bar of Wisconsin," subject to the provisions of this chapter. The rules of this chapter, which are adopted in the exercise of the court's inherent authority over members of the legal profession as officers of the court, may be referred to as "state bar rules." The state bar may, for the purpose of carrying out the purposes for which it is organized, sue and be sued, enter into contracts, acquire, hold, encumber and dispose of real and personal property.

(2) Purposes. The purposes of the association are to aid the courts in carrying on and improving the administration of justice; to foster and maintain on the part of those engaged in the practice of law high ideals of integrity, learning, competence and public service and high standards of conduct; to safeguard the proper professional interests of the members of the bar; to encourage the formation and activities of local bar associations; to conduct a program of continuing legal education; to assist or support legal education programs at the preadmission level; to provide a forum for the discussion of subjects pertaining to the practice of law, the science of jurisprudence and law reform and the relations of the bar to the public and to publish information relating thereto; to carry on a continuing program of legal research in the technical fields of substantive law, practice and procedure and make reports and recommendations thereon within legally permissible limits; to promote the innovation, development and improvement of means to deliver legal services to the people of Wisconsin; to the end that the public responsibility of the legal profession may be more effectively discharged.

(3) Definition. In this chapter "state bar" means the state bar of Wisconsin.

SCR 10.03 Membership.

(1) Persons included in membership. As of the effective date of this rule, membership of the state bar consists of all those persons who on that date are licensed to practice law in this state. After the effective date of this rule, the membership includes all persons who become

licensed to practice law in this state; subject in each case to compliance with the conditions and requirements of membership. Residence in this state is not a condition of eligibility to membership in the state bar.

(2) Enrollment. Every person who becomes licensed to practice law in this state shall enroll in the state bar by registering his or her name with the association within 10 days after admission to practice. Every change after enrollment in any member's office address shall be reported promptly to the state bar.

(3) Classes of membership.

(a) The members of the state bar are divided into 4 classes: active members, judicial members, inactive members and emeritus members. The class of active members includes all members of the state bar except the judicial members and inactive members. The class of inactive members includes those persons who are eligible for active membership but are not engaged in the practice of law in this state and have filed with the secretary of the association written notice requesting enrollment in the class of inactive members. Judges of courts of record, full-time family court commissioners, full-time court commissioners, U.S. bankruptcy judges, U.S. magistrate judges and retired judges who are eligible for temporary judicial assignment and are not engaged in the practice of law are classed as judicial members, except that any judicial member may elect to become an active member with all rights of active membership except to hold office as an officer or governor or to practice law. The class of emeritus members includes those persons who are either active or inactive members in good standing but who are

at least 70 years of age and have filed with the executive director of the association a written notice requesting enrollment in the class of emeritus members. An emeritus member has all the privileges of membership in the state bar and need not pay membership dues for the years following the year in which he or she attains the age of 70.

(b) Any inactive member in good standing and any judicial member who is no longer serving in a judicial office may change his or her classification to that of an active member by filing with the secretary a written request for transfer to the class of active members and by paying the dues required of active members. No inactive member who has not actively practiced law in this state or in another state during the last 10 years may be transferred to active membership until the transfer is approved by the supreme court except a judicial member who is no longer serving in a judicial office shall be classified as an active member upon his or her written request.

(c) No judicial or inactive member may practice law in this state or hold office or vote in any election conducted by the state bar. No person engaged in the practice of law in this state in his or her own behalf or as an assistant or employe of an active member of the state bar, or occupying a position, the duties of which require the giving of legal advice or service in this state may be enrolled as an inactive member.

(4) Only active members may practice law. No individual other than an enrolled active member of the state bar may practice law in this state or in any manner

purport to be authorized or qualified to practice law. A judge in this state may allow a nonresident counsel to appear in his or her court and participate in a particular action or proceeding in association with an active member of the state bar of Wisconsin who appears and participates in the action or proceeding. Permission to the nonresident lawyer may be withdrawn by the judge granting it if the lawyer by his or her conduct manifests incompetency to represent a client in a Wisconsin court or by his or her unwillingness to abide by the rules of professional conduct for attorneys and the rules of decorum of the court.

(5) Membership dues and reduction of dues for certain activities.

(a) The annual membership dues for state bar operations for an active member shall be established as provided herein. Other classes of members shall pay the fraction of the dues of an active member as follows: Supreme Court Justices, the full amount; inactive member, one-half; judicial members, two-thirds; members admitted to practice three years or less, one-half. For purposes of determining an active member's dues status based on number of years admitted, there shall be no proration based on exact month and year of admission. A fiscal year for which any dues are required to be paid under Bylaw 1, Section 2 shall count as a full year and a fiscal year for which no dues payment is required shall not count as a year. A change in the dues of an active member for state bar operations may be made by the board of governors or as set forth herein. The state bar shall include in the dues statement each year the amount necessary to pay the costs of the Board of Attorneys

Professional Responsibility and of the continuing legal education functions of the Board of Bar Examiners as approved by the Supreme Court. Judicial members other than Supreme Court Justices are not liable to pay the portion of the annual dues for the costs of these boards. The state bar shall show separately on its annual dues statement the portion of the total dues for state bar operations and each of the boards.

(b) 1. The State Bar may engage in and fund any activity that is reasonably intended for the purposes of the association. The State Bar may not use compulsory dues of any member who objects to that use for political or ideological activities that are not reasonably intended for the purpose of regulating the legal profession or improving the quality of legal services. The state bar shall fund those political or ideological activities by the use of voluntary dues, user fees or other sources of revenue.

2. Prior to the beginning of each fiscal year, the state bar shall publish written notice of the activities that can be supported by compulsory dues and the activities that cannot be supported by compulsory dues. The notice shall indicate the cost of each activity, including all appropriate indirect expense, and the amount of dues to be devoted to each activity. The notice shall set forth each member's pro rata portion, according to class of membership, of the dues to be devoted to activities that cannot be supported by compulsory dues. The notice shall be sent to every member of the state bar together with the annual dues statement. A member of the state bar may withhold the pro rata portion of dues budgeted for activities that cannot be supported by compulsory dues.

3. A member of the state bar who contends that the state bar incorrectly set the amount of dues that can be withheld may deliver to the state bar a written demand for arbitration. Any such demand shall be delivered within 30 days of receipt of the member's dues statement.

4. If one or more timely demands for arbitration are delivered, the state bar shall promptly submit the matter to arbitration before an impartial arbitrator. All such demands for arbitration shall be consolidated for hearing. No later than 7 calendar days before the hearing, any member requesting arbitration shall file with the arbitrator a statement specifying with reasonable particularity each activity he or she believes should not be supported by compulsory dues under this paragraph and the reasons for the objection. The costs of the arbitration shall be paid by the state bar.

5. In the event the decision of the arbitrator results in an increased pro rata reduction of dues for members who have delivered timely demands for arbitration for a fiscal year, the state bar shall offer such increased pro rata reduction to members first admitted to the state bar during that fiscal year and after the date of the arbitrator's decision.

(6) Penalty for nonpayment of dues. If the annual dues of any member remain unpaid 120 days after the payment is due, the membership of the member may be suspended in the manner provided in the bylaws; and no person whose membership is so suspended for nonpayment of dues may practice law during the period of the suspension.

(7) Voluntary resignation of membership. If a member of the state bar files with the executive director a written notice of the member's surrender of his or her license to practice law and the acceptance by the supreme court of his or her resignation in the state bar, the person shall then cease to be a member of the state bar and his or her name shall be removed from the membership register.

(8) Avoidance of hardship. The board of governors may, in any case in which to do otherwise would result in hardship or injustice, permit the retroactive enrollment of members and waive penalties prescribed for delinquency in the payment of membership dues.

SCR 10.04 Officers.

(1) Titles; Nomination and Election. The officers of the state bar include a president, a president-elect, a chairperson of the board of governors, a secretary and a treasurer, who shall be nominated and elected in the manner provided by the bylaws. Only active members of the state bar residing and practicing law in Wisconsin are eligible to serve as officers of the association. The term of office of the president, president-elect and chairperson of the board of governors is one year. The term of the secretary and the treasurer is 2 years, with the secretary elected in even-numbered years and the treasurer elected in odd-numbered years. The term of each officer runs until the qualification of a successor.

(2) Duties of officers.

(a) President. The president is the chief executive officer of the association. He or she shall be a member-at-large of the board of governors and shall preside at all meetings and assemblies of the association and the executive committee. He or she shall make the appointments to and designate the chairperson of all standing committees, create and appoint special committees, and be a member, ex officio, of every committee.

(b) President-elect. The president-elect shall be a member-at-large of the board of governors and the executive committee and shall perform all other duties assigned to him or her by the president or board of governors or under these rules or the bylaws. At the expiration of the one-year term of office of the president, the president-elect shall succeed to the office of president.

(c) Chairperson, board of governors. The chairperson of the board of governors shall be elected from the board membership by its members and shall be a member-at-large of the board of governors after his or her election. The chairperson shall be a member of the executive committee ex officio and shall preside at all meetings of the board of governors. The chairperson shall perform the duties of the president in the absence or disability of the president or in the event of a vacancy in the office of president.

(d) Secretary. The secretary shall be a member-at-large of the board of governors. The secretary shall confer with and generally supervise the executive director and the administrative staff of the state bar as to the keeping of proper minutes and records, the maintenance of correct membership files and mailing lists and the

general operation of the headquarters office and he or she shall make recommendations thereon to the board of governors as required.

(e) Treasurer. The treasurer shall be a member-at-large of the board of governors. The treasurer shall confer with and generally supervise the executive director and administrative staff of the state bar as to the methods and procedures used in the receipt, collection and safekeeping of all funds of the state bar and the procedures for disbursement and audit of the funds. The treasurer shall assist the executive committee in preparing the annual budget and in presenting it to the board of governors and shall make recommendations to the board of governors as to the association's financial affairs, as required.

(3) Compensation. The officers of the association shall receive no compensation for their services, but shall receive reimbursement of their expenses as authorized and directed by the board of governors.

SCR 10.05 Board of governors.

(1) Composition of board. The affairs of the association shall be managed and directed by a board of governors consisting of the 5 officers of the association and the immediate past-president of the association, all of whom shall be ex officio members-at-large of the board, not fewer than 34 members elected from the state bar districts established under sub. (2), one member selected by the young lawyers division pursuant to its bylaws, one member selected by the government lawyers division pursuant to its bylaws, three governors selected by the

nonresident lawyers division pursuant to its bylaws, and three nonlawyers appointed by the supreme court for staggered two-year terms. No person appointed by the supreme court shall serve more than two consecutive full terms. The rights and powers of the ex officio members of the board are the same as those of elected members. All past-presidents of the Wisconsin bar association or of the state bar of Wisconsin, the Wisconsin state delegate to the American Bar Association house of delegates and the deans of the Marquette university and university of Wisconsin law schools are entitled to floor privileges, but without voting privileges.

(2) State bar districts.

(a) For the purpose of conducting elections of the members of the board of governors, the board of governors shall divide the state into 16 state bar districts comprising specified counties and shall establish the number of members of the board of governors to be elected from each district.

(b) The number of members of the board of governors elected from each state bar district shall be in proportion to the number of active members entitled to vote residing in the district and shall take into consideration all of the following:

1. The composition of the judicial administrative districts established by sec. 757.60, Stats.

2. The geographical area of each state bar district.

3. All existing multi-county bar associations.

4. The representation of members in each state bar district afforded by members of the board of governors selected by divisions of the association under sub. (1).

(c) Every 10 years, commencing January 1, 1995, the board of governors shall submit to the court a proposed redistricting map dividing the state bar into districts in accordance with the requirements in par. (b).

(d) Notice, filing, review, hearing and adoption of a redistricting proposal submitted under par. (c) shall be provided in SCR 10.13(2) for amendment of bylaws.

(3) Term; qualifications; nomination and election. The term of office of each elected member of the board of governors is 2 years, commencing on July 1 next following his or her election. No person is eligible to vote in a district for governor or to serve on the board of governors from a district unless he or she is an active member of the association and maintains in the district his or her principal office for the practice of law. No person is eligible for election to the board of governors for more than 2 consecutive terms. The eligibility of any person to serve as a member of the board of governors from any state bar district ceases upon removal of the person's principal office for the practice of law from the district. Nominations and elections of members of the board of governors shall be conducted in accordance with the provisions of the bylaws.

(4) Functions.

(a) The board of governors has general charge of the affairs and activities of the association. It may:

1. Fix the time and place of the annual meeting of members of the association.

2. Make appropriations and authorize disbursements from the funds of the state bar in payment of the necessary expenses of the association.

3. Engage and define the duties of employes and fix their compensation.

4. Receive, consider and take action on reports and recommendations submitted by committees, sections and the assembly of members of the association at any annual or special meeting.

5. Arrange for publication of an official state bar bulletin or journal.

6. Conduct investigations of matters affecting the association or the practice of law or the discipline of members of the association.

7. Fill vacancies arising in the membership of the board of governors or in any office except the office of president. In each case the person appointed to fill the vacancy shall hold office for the unexpired term.

8. Adopt bylaws and regulations, not inconsistent with this chapter, for the orderly administration of the association's affairs and activities.

(b) The board of governors shall meet at least 4 times each year. Twenty-three members present at any meeting constitutes a quorum. Special meetings of the board of governors may be called in accordance with the bylaws.

(c) The board of governors shall establish and maintain standing committees having respectively the functions defined in the bylaws. The board of governors may create additional standing committees and special committees and may define the authority and functions of those standing and special committees.

(d) The board of governors shall establish and maintain sections for carrying on the work of the association, each within its proper field of study defined in its bylaws. Each section consists of members who voluntarily enroll in the section because of a special interest in the particular field of law to which the section is dedicated. New sections may be established and existing sections may be consolidated or discontinued by the board of governors. Each section shall be governed by bylaws not inconsistent with this chapter or state bar bylaws. Section bylaws and amendments thereto become effective upon approval of the board of governors.

(e) A section may express a position on a matter involving a substantial issue of public policy under the following conditions:

1. The matter is one on which the section's views would have particular relevance.

2. The position is adopted in accordance with section bylaws.

3. The position is clearly taken only on behalf of the section.

4. The section charges annual dues at least equal to the cost of its legislative program so that the cost need not be borne by section nonmembers. The executive

committee or board shall receive a summary of section positions on matters involving substantial issues of public policy prior to their publication but inaction by the executive committee or board shall not be construed as support of such positions. No committee of the association may publicly express any conclusion or opinion respecting any substantial issue of public policy without having procured previous authorization from either the board of governors or the executive committee of the association. This prohibition is not applicable to the public release of reports made by committees to the board of governors prior to action thereon by the board, unless the board has otherwise ordered. If any committee or section of the association expresses publicly any conclusion or opinion on matters other than substantial issues of public policy, the expression shall indicate that the conclusion or opinion is that of the section or committee from which it emanates, rather than the conclusion or opinion of the state bar.

(f) The members of the board of governors shall receive no compensation for services to the association, but they and also the members of committees and the officers and directors of sections and of the young lawyers division, the government lawyers division and the nonresident lawyers division may be reimbursed for necessary expenses in the performance of their duties.

(g) A complete summary of the minutes of each meeting of the board of governors shall be promptly printed in the Wisconsin bar bulletin, with a notation that any interested person may obtain a copy of the minutes on request to the secretary.

(h) The board of governors shall establish and maintain a young lawyers division. Membership in the division shall be voluntary. Those eligible for membership in the young lawyers division shall be any member of the state bar under the age of 36 years or any member, irrespective of age, during the first 5 years following admission to the bar. This division shall be governed by bylaws not inconsistent with state bar rules and bylaws. The division bylaws and amendments thereto become effective upon approval of the board of governors. The young lawyers division shall stimulate the interest of young lawyers in the objectives and programs of the state bar and carry on projects which will be of assistance to young lawyers.

(i) The board of governors shall establish and maintain a government lawyers division. Membership in the division shall be voluntary. Those eligible for membership in the government lawyers division shall be any member of the state bar who is a salaried employee of any government. This division shall be governed by bylaws not inconsistent with state bar rules and bylaws. The division bylaws and amendments thereto become effective upon approval of the board of governors. The government lawyers division shall promote effective collaboration between the private and public sectors of the bar and provide for the participation of publicly employed members in the governance of the state bar.

(j) The board of governors shall establish and maintain a non-resident lawyers division. Membership in the division shall be voluntary. Those eligible for membership in the non-resident lawyers division shall be any member of the state bar who has an address of record

outside the state of Wisconsin. This division shall be governed by bylaws not inconsistent with state bar rules and bylaws. The division bylaws and amendments thereto become effective upon approval of the board of governors. The non-resident lawyers division shall carry on projects which will be of assistance to members outside the state of Wisconsin and provide for the participation of members outside Wisconsin in the governance of the state bar.

SCR 10.06 Executive committee.

(1) Members; selection. The executive committee consists of the president, president-elect, the immediate past-president, the chairperson of the board of governors and 4 additional members elected annually by the board of governors from among its members at its June meeting. A vacancy occurring in the selected membership may be filled by action of the board of governors.

(2) Powers. The executive committee may exercise all the powers and perform all the duties of the board of governors between the meetings of the board except the executive committee shall not, unless otherwise authorized by the board of governors: amend the bylaws; make rules or regulations governing nominations or elections; prescribe regulations for proceedings before grievance committees; or initiate the taking of any referendum or poll of members of the association. The executive committee shall directly receive and act upon all reports of committees on disciplinary matters without reporting to

the board of governors. The minutes relating to disciplinary matters shall be kept separate from the general minutes and shall be confidential. The executive committee shall prepare an annual budget for submission to the board of governors and shall perform such other duties as the board of governors may prescribe. Unless otherwise ordered by the board of governors, the executive committee shall not express publicly any opinion on any matter including legislation of major public interest or concern or of major importance to the members of the association. A complete summary of the general minutes of each meeting of the executive committee shall be promptly printed in the Wisconsin bar bulletin, with a notation that any interested person may obtain a copy of the general minutes upon request to the secretary.

(3) Meeting; quorum. The executive committee shall meet at the call of the president, or at the call of the executive director upon the written demand of at least 3 of its members. All members shall be given at least 48 hours' notice by mail or telephone of the time and place of any meeting. Five members present at a meeting constitutes a quorum. No action may be taken by the committee except upon the concurrence of at least 5 members. The concurrence may be registered by mail or telephone.

SCR 10.07 Meetings of the association.

(1) Annual meeting. There shall be an annual meeting of the members of the state bar each year. The board of governors shall determine the time and place of the annual meeting and shall arrange a suitable program.

(2) Assembly of members. An assembly of the members of the state bar may be held at each annual and midwinter meeting for the purpose of discussing any issues of association public policy.

SCR 10.08 Referendum procedure.

(1) Time of holding. All referendums shall be conducted in any calendar year at the same time as and simultaneous with the election of officers and members of the board of governors of the state bar.

(2) Time for filing request. In order to be submitted to the membership in the regularly scheduled spring elections, petitions for referendum initiated by members of the state bar must be filed at the state bar headquarters no later than the first business day in January. Nothing in this rule is intended to prohibit the submission of referendum petitions at any time in the preceding calendar year after the completion of state bar elections for that year. Any referendum authorized by the board of governors shall be authorized on or before February 28 of the calendar year in which the referendum is to be held.

(3) Subject matter of referendum.

(a) A referendum may inquire as to the opinion of members on any matter of public policy which is properly the subject of any action by the association, including proposals for change in the rules or bylaws of the association, except no referendum may be held on administrative or personnel matters and expenses or retroactively on dues.

(b) The same substantive question shall not be submitted to the members by referendum more frequently than one time in two calendar years.

(4) Governors may initiate. The board of governors may, by the affirmative vote of two-thirds of its membership, refer to the active members of the association for determination by mail ballot any appropriate question of public policy, as provided in sub. (3).

(5) Members may initiate by petition. When required by petition as set forth herein, the board of governors shall submit for determination by the members of the association any question appropriate for referendum, as provided in sub. (3).

(a) The petition shall succinctly and clearly state the question to be submitted by referendum.

(b) A referendum must be requested by petitions containing the signatures of 1,000 members of the state bar eligible to vote.

(c) Each petition shall contain (i) the member's signature and full name clearly printed or typed, (ii) the address of the member's principal office for the practice of law and (iii) the date on which the petition was signed.

(d) Each petition shall be circulated by an active member in good standing of the state bar.

(e) The petitions shall be verified by the circulator who shall swear that the circulator personally obtained all signatures set forth on the petition and knows them to be members of the state bar as represented therein.

(f) The 1,000 signatures required shall include not less than 50 signatures from each of six separate districts from which members of the state bar board of governors are elected.

(g) All signatures must be obtained within a period of ninety days before the date the petition is filed.

(h) The petition shall designate the person to be notified of any insufficiency or improper form under sub. (7).

(j) Members can obtain a petition form from the executive director.

(k) Non-resident members are considered to reside in a single, non-resident district.

(6) Procedure for filing petition. The petition must be complete when filed with the state bar headquarters. Upon filing, the petition will be examined by the state bar executive director or his designee in order to determine the following: (a) whether the question is properly the subject of a referendum; (b) whether the signatures are of members of the state bar eligible to vote; (c) whether the signatures satisfy the geographic distribution and time requirements set forth in sub. (5)(f) and (g); (d) whether the petition is otherwise in order as required by these rules. The ruling of the executive director shall be communicated to the person designated in the petition as soon as practicable and within two weeks of the date the petition is filed.

(7) Framing the question. Upon receipt by the state bar of a referendum petition as described above and certification by the executive director as to the validity of

the petition, the state bar president shall appoint a committee to frame the exact question to be submitted to the members. That committee shall include the person designated in the petition. The committee shall be responsible for framing the question in a form that is clear, intelligible and meaningful.

(8) Final certification by board of governors. Any dispute as to the certification of the validity of the petition by the executive directors or the framing of the question by the special committee described above, shall be submitted to the board of governors who shall determine the validity of the petition and the form in which the question shall appear on the referendum ballot.

(9) Publication of question. As to all questions to be submitted to the members by referendum, space in a reasonable amount shall be provided to both the proponents and the opponents of the proposition. This space shall be made available without charge in the state bar's official publication one month prior to mailing of the referendum ballots or in another state bar mailing to all eligible voters. State bar mailing lists shall be equally available at the same costs to both proponents and opponents of any referendum.

(10) Conduct of election. The mailing of the ballots, the return of the ballots, the counting of the ballots and the reporting of the results shall be conducted in the same manner as set forth in article 3, sections 4 through 8 of the bylaws for the election of the board of governors.

(11) Binding effect. A referendum receiving an affirmative vote of a majority of the votes cast, provided that at least 25% of the eligible voters vote, shall establish

state bar policy until such time as that policy may be changed or modified according to the requirements of supreme court rules or state bar bylaws.

SCR 10.09 Disbursements.

(1) The board of governors shall make necessary appropriations for disbursements from the funds in the treasury to pay all necessary expenses of the association, its officers and committees. It shall be the duty of the board of governors to cause proper books of account to be kept and to procure an annual audit thereof by a certified public accountant.

(2) A financial statement showing assets, liabilities, receipts, and disbursements of the state bar shall be published in the state bar bulletin prior to the annual meeting. A copy of the annual audit shall be filed with the supreme court.

SCR 10.10 Committee to review bar performance.

The supreme court shall appoint a committee to review the performance of the state bar in carrying out its public functions at such time as the court deems it advisable. The supreme court shall determine in its order of appointment the size and composition of the committee. The state bar shall pay the expenses of the committee.

SCR 10.11 Executive director.

There shall be an executive director of the state bar who is the chief executive officer of the administrative staff and in direct charge of the state bar office, its

records, property and equipment. The executive director shall be hired by the board of governors under terms of employment and compensation fixed by the board. The executive director shall devote full time to the affairs of the state bar. Subject to the general control of the officers, executive committee and board of governors and as appropriate and consistent with the requirements of these rules and the bylaws, the executive director shall:

(1) Attend meetings of the executive committee and board of governors and keep and disseminate the minutes of the meetings.

(2) Collect, deposit and disburse the association's funds pursuant to the budget and shall invest surplus funds at the direction of the executive committee.

(3) Maintain membership lists and individual member files.

(4) Advise and assist the officers, governors, sections and committees.

(5) Make the arrangements for association meetings.

(6) Perform other duties as directed by the board of governors or officers or as prescribed by this chapter or the bylaws.

SCR 10.12 Official publication; notice to members.

The Wisconsin bar bulletin or its successor is the official publication of the state bar of Wisconsin. All official notices shall be published therein or mailed first class to members entitled thereto at their address of record. Such publication shall constitute notice to all

members. The publication shall be sent by mail to all members at their address of record.

SCR 10.13 Amendment.

(1) Amendment of rules. Proposals for amendment or abrogation of provisions of this chapter may be presented to the supreme court by petition of the board of governors or by petition approved by the members of the association through the referendum procedure set forth in SCR 10.08. Hearing upon such a petition will be pursuant to notice in such manner as the court directs.

(2) Amendment of bylaws. The provisions of the bylaws of the state bar of Wisconsin are subject to amendment or abrogation by resolution adopted by vote of two-thirds of the members of the board of governors, or action of the members of the association expressed through the referendum procedure defined in SCR 10.08. When any change in the bylaws has been made by the board of governors the secretary shall publish notice of the change, including a copy of the amendatory resolution, in the Wisconsin bar bulletin and shall file a certified copy thereof with the clerk of the supreme court. A petition for review of any such change in the bylaws will be entertained by the court if signed by 25 or more active members of the association and filed with the clerk of the court within 60 days after publication of notice of the change. Hearing upon such a petition will be pursuant to notice in such manner as the court directs.